

IFW

Docket No.: 023189.0101P2US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Lutz Freitag

Application No.: 10/567,746

Confirmation No.: 5502

Filed: September 10, 2007

Art Unit: 3771

For: METHOD AND ARRANGEMENT FOR
RESPIRATORY SUPPORT FOR A PATIENT
AIRWAY PROSTHESIS AND CATHETER

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Customer Service Window, MS Amendment
U.S. Patent and Trademark Office
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

One or more reference cited herein is a related foreign application. An English language version of the foreign applications is attached for the Examiner's information. See References: WO

2005/014091 is the English Language equivalent to CN 200480029872, DE 10337138.9, EP 1654023, IN 317/KOLNP/06, and JP 2006/522883.

One or more reference cited herein was cited in the International Search Reports. Copies of the of the International Search Reports are attached for the Examiner's information. See References DE 19626924, EP 0778035, US 5,400,778, US 5,184,610, US 5,954,050 and WO 01/76655.

In accordance with 37 CFR 1.98(a)(3)(ii), an English abstract is provided on the face of the non-English reference Rothe, et al. Pneumologie, 1996, Vol. 50, No. 10, pp. 700-02.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Examiner is advised that the following applications contain subject matter that may be related to the present application. By bringing these applications to the Examiner's attention, Applicant does not waive the confidentiality provisions of 35 U.S.C. § 122.

Application Number	Filing Date	Art Unit
60/924,514	May 18, 2007	
60/960,370	September 26, 2007	
60/960,392	September 26, 2007	

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this


Application No.: 10/567,746

Docket No.: 023189.0101P2US

application by this firm) to our Deposit Account No. 50-2228, under Order No. 023189.0101P2US.
A duplicate copy of this paper is enclosed.

Dated: April 28, 2008

Respectfully submitted,

By 
Michele V. Frank
Registration No.: 37,028
PATTON BOGGS LLP
8484 Westpark Drive, 9th Floor
McLean, Virginia 22102
(703) 744-8000
(703) 744-8001 (Fax)
Attorney for Applicant